

Headquarters
US Army Armor Center and Fort Knox
Fort Knox, Kentucky 40121-5000
29 August 2001

*Fort Knox Reg 600-4

Personnel – General

FAMILY MEMBER MISCONDUCT

Summary. This regulation establishes policy and procedures and provides guidance to deal with cases of family member misconduct.

Applicability. This regulation applies to all uniformed personnel assigned to or supported by the US Army Armor Center and Fort Knox, their family members, and applicable civilians.

Suggested improvements. The proponent of this regulation is the Garrison Commander, Fort Knox, Kentucky. Users are invited to send comments or suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to CDR, USAARMC, ATTN: ATZK-GC, Fort Knox, Kentucky 40121-5000.

1. Purpose. The purpose of this local regulation is to establish policy and procedures to deal with cases of family member misconduct.

2. General. Family member misconduct can have a harmful affect on community affairs and must be a matter of family member and community concern. Commanders will ensure family members and their sponsors are aware that their behavior reflects not only on them personally, but on their families and the entire military community. The Garrison Commander also has a number of administrative sanctions that may be taken or directed in cases of family member misconduct.

3. Explanation of Terms.

a. Family member. Any person who is related to the sponsor in the capacity of:

(1) Spouse.

(2) Unmarried child who is the sponsor's by birth, legal adoption, or guardianship; relatives by blood or marriage (for example, a step-child) who are under 21 years of age and depend on the sponsor for over ½ their support or who are under 23 years of age enrolled in a full-time course of study at an approved institution of higher learning and dependent upon the sponsor.

*This regulation supersedes USAARMC Reg 600-4, 6 December 1995.

(3) Adult relatives by blood, marriage (for example, parent-in law or step-parent), or adoption who depend on the sponsor for over ½ of their support and are eligible for a dependent identification card.

b. Family Member Misconduct.

(1) Any family member behavior that violates United States Code and/or the state of Kentucky Criminal laws.

(2) Any family member behavior that violates written rules, regulations, policies, and directives of the DOD, Department of the Army, and the United States Army Armor Center and Fort Knox which are specifically applicable to family members.

c. Sponsor. Any person assigned to, employed by, or under the supervision or control of the Commander, US Army Armor Center and Fort Knox, or Fort Knox Partners in Excellence from whom family members derive their status as defined in paragraph 3a above.

4. Responsibilities.

a. Garrison Commander. The Garrison Commander is responsible for action taken in misconduct cases of family members residing in or using the facilities on Fort Knox.

b. Garrison Manager. The Garrison Manager is responsible for management and execution of the Family Member Misconduct Program.

c. Department of Defense Dependent Schools (Title 10, US Code) Officials.

(1) The Superintendent of Schools, Fort Knox, Kentucky, and other school officials have primary responsibility to deal with routine disciplinary problems that relate to school or school activities, including scheduling and conducting periodic inspections of school grounds and facilities to find and remove contraband. Search and seizure authorization and criminal investigations on school grounds will be coordinated with the Provost Marshal Office and the Staff Judge Advocate.

(2) By Memorandum of Agreement (MOA), the Superintendent of Schools, Fort Knox, Kentucky, will establish and maintain dialogue with the Garrison Manager. The superintendent will keep the Garrison Manager informed of student offenses, repeated misbehavior, and suspension/expulsion through the schools officer. The schools officer will consolidate these inputs and forward a monthly list of family member offenders to the Garrison Manager.

d. Commanders. The chain of command will be notified in the instances of family member misconduct, as well as the action planned in response to that misconduct. Early involvement of the sponsor's immediate commander and supervisor is essential.

e. Sponsors are responsible for providing parental guidance and controlling the behavior of their family member(s). Sponsors are also responsible for ensuring that both adult and minor family members are aware of the standards of conduct they are expected to maintain. Sponsors are responsible for cooperating fully with the Garrison Manager and school officials in their efforts to promote harmony and good order in the community. These efforts include participation in rehabilitative measures and compliance with administrative sanctions when directed.

5. Administrative Sanctions.

a. When selecting administrative sanctions, the following principles apply:

(1) Misconduct should be evaluated in the terms of the individual's prior record, the seriousness of the misconduct, the presence or absence of parental guidance and discipline, the availability of community agencies to support any corrective actions, and sanctions used in like cases.

(2) The selected sanction must bear a relationship to the misconduct. For example, exchange privileges can be suspended for a violation of exchange policy. Such a sanction should not be used for violation of installation pet policy.

b. The following are examples of administrative sanctions the Garrison Commander or designee may take or direct in appropriate cases. This list is not all inclusive but is a convenient reference to sanctions that are available:

(1) Sponsors may be counseled about the conduct of their family member(s).

(2) Sponsors may be issued a memorandum of warning based upon the family member's misconduct.

(3) Sponsors may be issued a memorandum of eviction based upon the family member's misconduct.

(4) The family member(s) may be barred from designated Fort Knox facilities such as clubs, recreation centers, gyms, exchanges, etc.

(5) The family member(s) may be barred from Fort Knox installation, except for entrance for necessary medical care. See AR 40-3, Medical, Dental, and Veterinary Care, 30 July 1999, for procedures regarding loss of medical treatment privileges.

(6) A Fort Knox School principal may suspend family member student(s) because of serious or repeated misconduct.

(7) Appropriate DOD hiring authorities will be notified of incidents that involve prospective applicants when such incidents reflect upon employment qualifications. Civilian Personnel Officers and select supervisors can use this information in determining if said individual is suitable for employment.

6. Procedures.

a. Incidents of family member misconduct will normally be reported to the Garrison Commander by law enforcement agencies. Anyone who believes Garrison Commander action is required may report family member misconduct through their chain of command.

b. Upon issuance of any administrative sanction, family member(s) will be encouraged to meet with the sponsor's commander or designated representative for discussion of rehabilitative measures and/or imposition of administrative sanctions.

c. At the time of the meeting, notification of administrative sanctions to be imposed will be made in writing. Both family members and sponsor will sign acknowledging receipt and understanding of the sanctions.

d. Whenever there is an administrative sanction, family member(s) will be encouraged to meet with the sponsor's commander or designated representative for discussion of rehabilitative measures and/or imposition of administrative sanctions.

e. At the time of the meeting, notification of administrative sanctions to be imposed will be made in writing. Both the family member and the sponsor will sign acknowledging receipt and understanding of the sanctions.

f. Whenever an administrative sanction is imposed on a family member(s), officials and/or appropriate agencies will be notified to make the sanction effective. USAARMC Reg 27-11, Juvenile Offender Program, 11 May 1990, prescribes policies and procedures for the disposition of offenses committed by juveniles on Fort Knox.

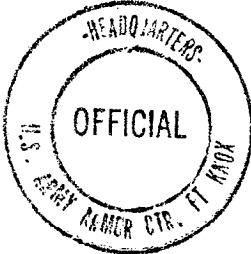
7. Appeal.

a. The sponsor may appeal an imposed administrative sanction to the Garrison Commander. Any right of appeal according to the regulations governing the curtailment of benefits, privileges, or logistical support must be made in writing within 7 days of adverse action imposition unless that regulation allows a longer period. Exceptions to the 7-day requirement may be granted on a case-by-case basis. All appeals will be addressed through the sponsor's chain of command.

b. Upon receipt of an appeal, the Garrison Commander may direct an additional investigation as considered appropriate; or affirm, modify, or revoke any administrative sanction that has been imposed. Final appeal authority rests with the Garrison Commander.

8. Guidelines for Administrative/Disciplinary Action for various types of offenses. Appendix A of this regulation contains guidelines for administrative sanctions to be imposed for various types of offenses. The guidance provided may be notified as each case dictates.

FOR THE COMMANDER:



OFFICIAL:
REGINALD R. BERRY
Colonel, Armor
Garrison Commander

ROBERT L. BROOKS
Director, Information Management

Appendixes

A – Guidelines for Administrative/Disciplinary
Action for Various Types of Offenses

DISTRIBUTION:

B

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DCG, USAARMC

Appendix A

Guidelines for Administrative/Disciplinary Action for Various Types of Offenses

	Memorandum of Awareness	Memorandum of Warning	6 Month Restriction AAFES / Commissary	Permanent Restriction AAFES	Restitution	Clinical Counseling	ADAPCP	Juvenile Offender Program	Memorandum of Eviction	1 - 6 Month Restriction NAF / MWR Facilities	Fort Knox School Student Suspension	Bar from Fort Knox
Indirect Involvement	1	1/2	1/2/3					1			2/3	
Threatening/Harrassment		1						1/2	1	2/3	2/3	1
Illegal Weapons		1/2						1	1	1	1	1
Vandalism		1/2	1/2		X	2		1/2	1	1/2	X	2
Larceny		1/2	1		X	2		1	1	1	X	
Arson		1/2			X	1/2		1	1/2		X	1
Assault		1				2		1/2	1	1	X	1
Misconduct in AAFES	1	1/2	1/2	3/3				1/2		1		
Shoplifting		1	1	2	X			1/2		1/2		
Trespassing/Off Limits		1						1/2	2/3	2	X	
Unauthorized Entry		1						1	2	1/2	X	
Underage Drinking		1/2	1				X	1			X	
Child Abuse		1				X	X		1/2			
DUI		1					X	1				
Domestic Disturbance	1	1/2				2		2/3	3			
Juvenile Gang Affiliation	X	X						1/2			2/3	2/3
Drug Possession		1				X	X	X	2/3		X	1/2/3

LEGEND

1. Numbers relate to first offense, second offense, etc.
2. " X " indicates action to be taken for each offense.
3. All offenses are cumulative: An act of vandalism committed several months after an incident of fighting would constitute a second offense.
4. All sanctions are suggested only. Refer to paragraph 5 for details.